

Defendant.

Telephonic Status Hearing

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1 THE CLERK: 20 CV 4985, Zhu Zhai Holdings versus
2 Ivankovich.

3 THE COURT: Will the parties please state your name
4 for the court reporter.

5 MR. SEARS: Good morning, Your Honor. This is Will
6 Sears from Quinn Emanuel for the plaintiffs. And I believe
7 Tyler Whitmer also for the plaintiffs from Quinn Emanuel is on
8 the line as well.

9 MR. WHITMER: I am, Your Honor. Good morning.

10 THE COURT: All right. Great.

11 MR. WHITMER: This is Tyler Whitmer from Quinn
12 Emanuel.

13 THE COURT: Thank you. Just continue to state your
14 name -- identify yourselves for the court reporter so she can
15 have an accurate record. Do we still have -- I believe we were
16 supposed to have the pro se -- the defendant Mr. Ivankovich, is
17 that correct, on the phone, or a lawyer representing him? Is
18 that what we were expecting today?

19 MR. SEARS: Yes, Your Honor. This is Will Sears from
20 Quinn Emanuel. As the Court may recall, at the last hearing on
21 October 28th Mr. Ivankovich appeared pro se and stated that he
22 intended to engage a lawyer. The Court set a deadline for him
23 to do so. I believe that was November 12th. We, we have not
24 seen an appearance of counsel or heard anything from Mr.
25 Ivankovich or any lawyer purporting to represent him since

1 then.

2 THE COURT: All right. So -- and the Court did speak
3 with him and gave him some parameters. He seemed very clear on
4 what he needed to do. He has not done it. I'm looking at the
5 docket. Your motion was entered and continued. What do you
6 wish?

7 MR. SEARS: Your Honor, we would respectfully request
8 that the Court now enter the default so that we can follow up
9 with our motion for a default judgment under Rule 55.

10 THE COURT: The Court will grant the motion.

11 MR. WHITMER: Thank you, Your Honor.

12 MR. SEARS: Thank you, Your Honor.

13 THE COURT: All right. And then you will set a date
14 for the entry, is that correct?

15 MR. SEARS: Yes, I believe so, if that's how the, the
16 Court would like us to proceed. As we understand the procedure
17 under Rule 55 now that the default has been entered, the ball
18 is in our court. We need to file a motion for a default
19 judgment.

20 THE COURT: Yes. Yes.

21 MR. SEARS: And so we'll, we'll do that promptly.
22 And then I, I think it's, it's just up to the, the Court to
23 rule on that. As we read the rule, there's no technical need
24 for a hearing or anything of that sort. And we'll, we'll, of
25 course, try to make it as clear and straightforward as possible

1 in our papers to help the Court resolve this quickly.

2 THE COURT: All right. Well, the Court also does --
3 on the default, especially now during this time, and we're all
4 by phone, and the fact that even though he hasn't done what
5 he's supposed to, we have heard from him unlike so many times
6 when we have defaults. So make sure when you notice it up, you
7 notice it up for a time certain. Okay?

8 MR. SEARS: Thank you, Your Honor. Will do.

9 THE COURT: All right. Anything else? If not, thank
10 you.

11 MR. SEARS: Nothing from us, Your Honor. Thank you.

12 MR. WHITMER: Thank you, Your Honor.

13 THE COURT: All right. Thank you.

14 CERTIFICATE

15 I HEREBY CERTIFY that the foregoing is a true,
16 correct and complete transcript of the proceedings had at the
17 hearing of the aforementioned cause on the day and date hereof.

18

19 /s/TRACEY D. McCULLOUGH

November 17, 2020

20 Official Court Reporter
21 United States District Court
22 Northern District of Illinois
23 Eastern Division
24
25

Date